

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Tri-Pen TravelMaster Tech. § **GROUP ART UNIT:** Unassigned

§

SERIAL NO.: 10/582,412

§

§ **CONFIRM. NO.:** Unassigned

FILED: February 16, 2005

§

§

FOR: Travel Monitoring

§

EXAMINER: Unassigned

CERTIFICATE OF MAIL BY EXPRESS MAIL

EB816681612US

May 30, 2008

Express Mail No.

Date of Deposit

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service postage prepaid in an envelope under 35 C.F.R. §1.10 on the date indicated above and is addressed to:

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


By: Yvonne R. Ferrera

May 30, 2008

Date of Signature

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: May 30, 2008
Docket No.: 10231-28

PETITION TO ACCEPT OATH OR DECLARATION UNDER 37 CFR 1.47(a)

06/03/2008 LLANDGRA 00000059 502413 10582412

Madam:

200.00 DA

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 mailed November 30, 2007, and any extension necessary to make this Request timely, for which extension Applicant hereby petitions, the following is respectfully submitted:

- (1) Proof that the non-signing inventor cannot be reached after diligent effort;
- (2) An acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;
- (3) A statement of the last known address of the non-signing inventor; and
- (4) Proof of irreparable damage.

As to item (1), the Applicant has attached a signed statement (Attachment A) describing the facts that are relied on in establishing that a diligent effort was made to locate the non-signing inventor, and copies of the correspondence notifying the non-signing inventor that an application pursuant to 37 CFR §1.47 has been filed on his behalf.

As to item (2), the Applicant has attached a declaration executed by named inventor Victoria A. Wofford (Attachment B) in compliance with 37 CFR §1.63 and §1.64.

As to item (3), the last known address at which the non-signing inventor, Ashton R. Adams, customarily receives mail is believed to be 6208 Red Canyon Drive, #C, Highlands Ranch, Colorado 80130. This is also believed to be the last known address on file with the non-signing inventor's former employer, Tri-Pen TravelMaster Technologies.

As to item (4), a filing date of June 9, 2006 is necessary to preserve the rights of the party against any subsequently filed patent applications and to prevent irreparable damage.

With regard to the filing of this Request, please charge the petition fee of \$200.00 as set forth in §1.17(g) and any additional fees, deficiencies, or credit overpayment to Deposit Account No. 50-2413 of Adams and Reese LLP.

Respectfully submitted,



David M. Ostfeld, Reg. 27,827
Attorney for Applicant
Adams and Reese LLP
4400 One Houston Center
1221 McKinney
Houston, Texas 77010
(713) 308-0128

DMO:yrf
Enclosures

530603.01